SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, N.Y. 10017-3954
(212) 455-2000

FACSIMILE: (212) 455-2502

DEC 1 -

DIRECT DIAL NUMBER
(212) 455-3525

E-MAIL ADDRESS
pkazanoff@stblaw.com

BY HAND

November 30, 2009

Re: *Anwar et al. v. Fairfield Greenwich Limited, et al.*, Docket No. 09 CV 0118 (VM)

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: ________
DATE FILED: 12-02-09

Hon. Victor Marrero
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Dear Judge Marrero:

We represent most of the Fairfield Greenwich Defendants in *Anwar et al. v. Fairfield Greenwich Limited, et al.,* Docket No. 09 CV 00118 ("*Anwar*"). We write regarding the timing of filing written objections to the Report and Recommendation issued by Magistrate Judge Katz on November 13, 2009 (the "Report") concerning motions to remand to state court four of the actions that Your Honor consolidated into *Anwar*.

In his Report, Judge Katz wrote that "the parties shall have ten (10) days from service of this report to file written objections. *See also* Fed. R. Civ. P. 6(a), (e)." Report at 26 (D.I. 297). Rule 6(e), which was moved to 6(d) in the 2007 Amendment, grants parties an additional three days after the period would otherwise expire under Rule 6(a) when a paper is served by electronic means. *See* Fed. R. Civ. P. 6(d), 5(b)(2)(E). Because the Report was filed on the Electronic Case Filing (ECF) system and Judge Katz cited former Rule 6(e), we believe the additional three days under Rule 6(d) applies. We therefore intend to submit our written objection in accordance with that timing on December 3, 2009, which is ten days from electronic service plus an additional three days. In the event that the Court finds that we are misapplying the time computation rules, we respectfully request an extension to file our objection on or before December 3, 2009.

We appreciate the Court's attention to this matter.

Request GRANTED. The time for defendants to file objections to the Magistrate Judge's Report herein dated 11-13-09 is extended to 12-3-09

SO ORDERED:
12-1-09
DATE

VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

Peter E. Kazanoff

cc: United States Magistrate Judge Theodore H. Katz (by hand)
Plaintiffs' Counsel (by email)
Defense Counsel (by email)